

# Committee on Resources

## Subcommittee on Water & Power

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### Testimony

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Testimony of Tellis Codekas  
President, Salton Sea Authority  
*Before the Subcommittee on Water and Power*  
*Of the U.S. House of Representatives Committee on Resources*  
Hearing on the Sonny Bono Memorial Salton Sea Reclamation Act  
H.R. 3267  
March 12, 1998

On behalf of the Salton Sea Authority, thank you for the opportunity to address the Subcommittee and to comment on the Sonny Bono Memorial Salton Sea Reclamation Act, H.R. 3267. I am Tellis Codekas, President of the Salton Sea Authority.

The Salton Sea Authority is comprised of the Counties of Riverside and Imperial, and the Imperial Irrigation and the Coachella Valley Water Districts. The Torres Martinez Desert Cahuilla Indians and a host of federal and state agencies are ex-officio members of the Authority. The Authority is at the hub of a wheel which includes dozens of national, state, regional, tribal, and local stakeholders. The Authority recognizes the vital importance of the Sea as an agricultural drain, an environmental resource, a recreational destination, and an economic development engine.

Introduction of this legislation and the companion legislation in the Senate represent important steps forward in reclaiming and restoring the Salton Sea. Enacting legislation to save the Sea is a fitting tribute to the man who was very much responsible for the current drive to save and restore the Sea. The Salton Sea Authority and its member agencies strongly support the central elements of H.R. 3267 and look forward to working with the Committee and the Congressional Salton Sea Task Force on this proposed legislation.

The Authority was established in 1993 and has been working closely with Federal partners, particularly the Bureau of Reclamation and our state partners, particularly the Resources Agency and Cal-EPA on developing a consensus to restore this important resource. Until a year or so ago, much of our effort went unnoticed. The Sea was not viewed as a high national priority. Times have changed and we are thankful for the change. We need the help of the federal government.

The Secretary of Interior became personally involved in our efforts in December. The Secretary acknowledged the interagency and multi-interest effort that we had already developed. He confirmed the

Department's commitment to this effort and established a structure to address biological and other studies.

We are committed to the process that the Secretary and the Authority agreed upon. The proposed legislation largely builds on the existing process and we support areas where it does so specifically, particularly:

Findings acknowledging the Federal interest,

Project requirements consistent with those developed by the Authority,

Commitment to exploring multiple options in the feasibility study, and

Authorization of appropriations which will allow completion of the feasibility, environmental analysis and permitting work.

Unfortunately, there are also provisions in the bill which do not reflect our process or local needs.

First of all, the memorandum of understanding referred to on page 6 seems to suggest a new process and a new feasibility study. We think it ought to confirm the roles of the federal lead agency, the Department of Interior through the Bureau of Reclamation, and the local lead agency, the Salton Sea Authority, in completing our current work program.

Secondly, limitations of administrative and judicial review under the National Environmental Policy Act may be counterproductive. As the co-lead agency, we still must meet the requirements of the California Environmental Quality Act. Waiving NEPA provisions sends up a red flag to the very interest groups that we are working very hard to include in our restoration efforts, such as the Audubon Society.

Thirdly, the Secretary of Interior, the Authority, the Torres Martinez and the State currently sit on a Research Management Committee. The Committee was so composed to ensure limited conflict of interest, management oversight of research conducted, and to move expeditiously on research needs. The inclusion of a fifth member from the university community is disconcerting. The universities may well receive some share of research funds and having them make recommendations on fund distribution is an apparent conflict of interest. Additionally, research imperatives and their pace should not jeopardize plans to quickly restore the Sea. We do not support including any representative on the management committee that may create a perception of a conflict of interest.

There are other provisions in the bill which raise questions. The Authority applauds the members of Congress and specifically the Congressional Salton Sea Task Force for recognizing that stabilizing and reducing the Sea's salinity is the highest priority. However, the Emergency Action specified under Title II of the bill may be counterproductive.

Title II directs the Secretary to expulse water out of the Salton Sea by December 1, 1998 to accommodate diversion of, presumably, Colorado River water to the Sea. However, given that the mechanics of how the water will be pumped out, where the Seawater will be pumped to, how the project will be funded, designed and constructed have not been worked out, this Title and its deadline are unworkable. Such an emergency action is an overwhelming technical, financial and political challenge by the deadline imposed. Preferably, the bill should direct the Secretary to work with the Authority through our current effort to identify and design an emergency plan to stabilize the sea.

Perhaps the greatest tribute to the late Congressman found in this bill is its intent to fix the Sea's problems quickly. The Authority thanks Congressmen Hunter, Brown, Calvert and Lewis for their commitment to expediting the recovery efforts. I am thankful that the Speaker has shown a commitment to this effort and that our two California Senators have introduced similar legislation to this bill. We hope that the President signs restoration legislation within a few months. Still, the clock is ticking for the Salton Sea.

In the interim, the Authority and the Bureau of Reclamation can accomplish a great deal under our current five million-dollar work program. Federal funds authorized under Public Law 02-575 are being matched with state and local funds to carry out this work plan. Commitment by the Administration to proceeding on our work plan will help all of us to get a jump-start on whatever legislative deadline Congress establishes.

We are thankful for the opportunity to speak before you today. The Authority represents the local interest in reclaiming this important resource. We stand ready to work with our partners to do so and to do so quickly. The Authority's Executive Director, Tom Kirk is here to address any questions that you may have. Additionally, Tom Veysey, one of our board members and a Supervisor of Imperial County and Paul Cunningham, chair of the Authority's Technical Advisory Committee and Director of External Affairs for Imperial Irrigation District are here to serve as resources to you.

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